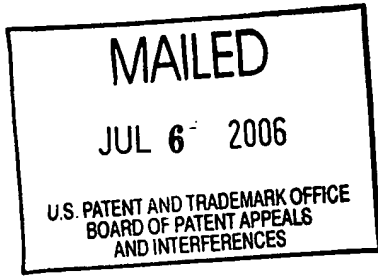


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ACHIM BERTHOLD, WALTER MULLER
and GIOVANNI GAVIRACHI

Application 10/031,529

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on June 16, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed June 3, 2002. It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Further, on May 5, 2006, appellants filed a paper entitled "Request for Oral Hearing", stating authorization of payment for the Oral Hearing to Account No. 50-0320. This fee has not been charged.

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner for consideration of the Information Disclosure Statement, for charging the Oral Hearing fee to Deposit Account No. 50-0320, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

DALE M. SHAW

Deputy Chief Appeal Administrator
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GJH

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